

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THE BENSALEM MASJID, INC. v. BENSALEM TOWNSHIP, PENNSYLVANIA, et al.	CIVIL ACTION NO. 14-6955
---	---

ORDER

And NOW, this 22nd day of September 2015, for the reasons stated in the foregoing memorandum, upon consideration of Defendants Bensalem Township's and Bensalem Township Zoning Hearing Board's Motion to Dismiss Plaintiff's Amended Complaint (ECF 22 and 22-1), and all responses and replies thereto, it is hereby **ORDERED** that:

1. Count V of the Complaint (First Amendment Prior Restraint) is **DISMISSED WITH PREJUDICE**.
2. Count VIII of the Complaint (Pennsylvania Municipal Code) is **DISMISSED WITHOUT PREJUDICE**.
3. The Motion to Dismiss is in all other respects **DENIED**.
4. Plaintiff's Motion to File Supplemental Authority (ECF 26) and Defendants' Motion to File Supplemental Authority (ECF 27 and ECF 28) are **DENIED AS MOOT**.

BY THE COURT:

/s/ **Michael M. Baylson**

MICHAEL M. BAYLSON, U.S.D.J.